

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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|----------------------------|---|--------------------------------|
| MARTAVIUS JAMARQUIS TYUS, |) | |
| AIS # 315479, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | CIVIL ACT. NO. 2:19-cv-491-ECM |
| |) | (WO) |
| JOHN CROW, <i>et al.</i> , |) | |
| |) | |
| Respondents. |) | |

MEMORANDUM OPINION and ORDER

On August 30, 2019, the Magistrate Judge entered a Recommendation that the Petitioner's habeas petition be dismissed with prejudice (doc. 9) to which no objections have been filed. Upon an independent review of the file, upon consideration of the Recommendation, and for good cause, it is

ORDERED that the Recommendation of the Magistrate Judge is ADOPTED, the petition for writ of habeas corpus is DENIED, and this case is DISMISSED without prejudice to allow the Petitioner to exhaust his available state remedies.

Done this 10th day of October, 2019.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE